



Docket No.: PHRM0017-100 (00229US1)

PATENT

#13/100
03-20-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Christopher W. Benjamin *et al.*

Serial No.: 09/866,066

Group Art Unit: 1647

Filed: May 25, 2001

Examiner: Sandra L. Wegert

Title: HUMAN ION CHANNELS

Express Mail Number: EV 147610121 US

Deposited: March 7, 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

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MAR 14 2003

Dear Sir:

TECH CENTER 1600/2900

RESPONSE

This paper is filed in response to the Office Action dated October 7, 2002. The period to respond is extended by payment of the appropriate fee, provided herewith.

REMARKS

Claims 1-115, all the pending claims, are subject to a restriction requirement.

The Examiner required Applicants to elect one of twenty-four patentably distinct inventions for examination. The Office Action alleges that each of the inventions is distinct because, *inter alia*, "each has an independent utility that is distinct for each invention which cannot be exchanged." (Office Action at page 3). Applicants were further required to elect one sequence from the group of sequences consisting of SEQ ID NOS:1-42.

Applicants provisionally elect herein Group II, encompassing claims 30-35, "drawn to an *ion-x* polypeptide, classified in class 530, subclass 350+". Applicants elect for examination SEQ ID NO:20.